

Serial No. 09/955,153
Ammdt. dated April 15, 2004
Reply to Office Action of March 24, 2004

Docket No. HI-0044

REMARKS/ARGUMENTS

Claims 1-9, 11-14 and 16-34 are pending in this application. By this Amendment, claims 9 and 34 are amended, and claim 10 is cancelled without prejudice or disclaimer. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance for the reasons discussed herein; (2) do not raise any new issues requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter; (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal, if necessary. Entry is thus requested.

The Examiner is thanked for the indication that claims 1-8, 13-14, and 16-33 are allowed. It is noted, however, that claim 34 is not addressed by the Office Action. It is respectfully submitted that, in view of its dependency from allowed independent claim 33, claim 34 is also in condition for allowance. The Examiner is also thanked for the indication that claim 10 would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims. The allowable subject matter of claim 10 has been incorporated into independent claim 9. Accordingly, independent claim 9, as well as claims 11-12 and 20, which depend therefrom, are in condition for allowance.

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The Office Action rejects claims 9, 11-12 and 20-21 under 35 U.S.C. §103(a) as being unpatentable over Milocco et al., U.S. Patent No. 4,972,861 (hereinafter "Milocco") in view of Mercer, U.S. Patent No. 3,989,054. The rejection is respectfully traversed.

As set forth above, the allowable subject matter of claim 10 has been incorporated into independent claim 9. Accordingly, it is respectfully submitted that independent claim 9 is allowable over the applied combination, and thus the rejection of independent claim 9 under 35 U.S.C. §103(a) over Milocco and Mercer should be withdrawn. Dependent claims 11-12 and 20 are allowable at least for the reasons set forth above with respect to independent claim 9, from which they depend, as well as for their added features.

Dependent claim 21 is allowable at least in view of its dependency from allowed claim 13, as well as for its added features. Accordingly, it is respectfully submitted that the rejection of claim 21 under 35 U.S.C. §103(a) over Milocco and Mercer should be withdrawn.

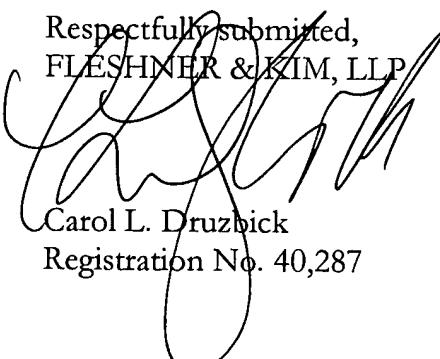
CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Carol L. Druzbick, at the telephone number listed below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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